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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,472	07/11/2003	David J. Mester	01-1-129	3461

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EXAMINER

KOPPIKAR, VIVEK D

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/617,472

Applicant(s)

MESTER, DAVID J.

Examiner

Vivek D Koppikar

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Status of Application*

1. This communication is in response to the application filed on July 11, 2003. This non-provisional, utility application claims priority to provisional application No. 60/398, 844 filed on July 11, 2003. The Information Disclosure Statement (IDS) filed by the applicants on October 20, 2003 has been acknowledged by the examiner. Claims 1-20, which are pending in this application, have been examined.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-13, 15-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication 2003/0061104 to Thomason in view of US Patent Application Publication 2003/0167191 to Slabonik.

Thomson is directed towards an Internet based warranty and repair service.

As per claim 1, which is directed towards a method of processing a customer service claim against a manufacturer's product, Thomson teaches the steps of inputting a claim through a computer to a database, and approving or denying the claim (Sections [0081], [0082], and [0082]).

Thomson fails to teach the step of having multiple management or processing levels for the claims in which the claims are processed in a given management level based on whether their value(s) is within a certain interval or range.

However, this processing procedure is well known in the art as evidenced by Slabonik. Slabonik is directed towards an underwriting review system for insurance. Slabonik teaches an arrangement whereby an application (for insurance) can be potentially processed at several levels. The first level assesses the simplest applications. However, some applications are flagged (if they satisfy a particular rule) and these applications are passed to a secondary underwriter (second level of management) for more intricate review. Additional hierarchical levels (management levels) may be included and whether a given application is passed on to these hierarchical levels will depend on whether they are "flagged" according to a particular rule (Figure 5 and Section [0031]).

At the time of the invention, one skilled in the art would have been motivated to modify the warranty service of Thomson and add the processing arrangement of Slabonik, whereby applications may be processed at multiple levels depending on whether they satisfy a rule, in order process a large backlog of applications in a consistent and expeditious manner as recited in Slabonik (Sections [0010]-[0011]).

As per claims 3-13, 15-16 and 18, the warranty system of Thomson is accessible through a corporate database connected to a corporate network (Sections [0054]-[0055]), a login and password are needed to access the warranty system (Section [0055]), and the warranty system includes a menu with operational links to other pages for input of claim specific data (Figure 1).

For each customer, there is a file corresponding to that customer's personalized portion (Section [0055]).

4. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomson in view of Slabonik as applied to Claim 1 and in further view of US Patent Number 5,307,262 to Ertel.

5. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomson in view of Slabonik and Ertel.

6. Claims 2, 19 and 20 are similar in all respects to claim 1 except that they claim a fourth management level which reviews all approved claims for accuracy and completeness and informs a customer when a claim is denied and informs an accounting management level when a claims has been approved and directs the accounting management level to reimburse the customer.

Thomson teaches the steps of reimbursing the customer (Section [0113]).

Thomson fails to teach a fourth management level which reviews all approved claims for accuracy and completeness. This procedure is commonly referred to as quality review in the business methods art and is a common feature in the art as evidenced by Ertel (Col. 8, Ln. 62 – Col. 9, Ln. 25).

At the time of the invention, one of ordinary skill in the art would have been motivated to implement this quality review feature in the warranty system of Thomson in view of Slabonik with the expectation of providing a system with improved accuracy and validity as recited in Ertel (Col. 2, Ln. 49-51).

7. Claims 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomson in view of Slabonik as applied to Claims 13 and 15, above, respectively, and in further view of US Patent Application Publication 2001/0034722 to Tidball.

Thomson and Slabonik fail to teach an approve or deny web page button which indicate whether the claim for a warranty has been accepted or not; however, this feature is well known in the art as evidenced by Tidball (Figure 2). At the time of the invention, one of ordinary skill in the art would have been motivated to include this feature in the warranty system of Thomson in view of Slabonik in order to provide a user with a clear decision of whether their warranty claim had been accepted or denied.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

[www.accenture.com/](http://www.accenture.com/); "Rethinking Warranty Management to Achieve High Performance and Differentiation

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Vivek Koppikar** whose telephone number is **(703) 305-5356**.

The examiner can normally be reached on Monday-Friday from 8 AM to 5 PM, Eastern Time.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (703) 305-9588. The fax phone number for the organization where this application or proceeding is assigned are (703) 872-9306.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Vivek Koppikar

5/19/04

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
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